

1/26/2007 Response to Office Action
U.S.S.N. 10/763,552

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REMARKS

The present invention relates to electron emitters and the fabrication of electron emitters, which may be used as X-ray sources in nanoparticle-based electron guns. Claims 1-45 are currently pending. Claims 27-40 have been withdrawn from consideration.

The Office Action has required restriction to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-26, drawn to a vacuum tube, classified in class 313, subclass 121.
- II. Claims 41-45, drawn to a method of operating a vacuum tube in order to generate X-rays, classified in class 378, subclass 121.

The applicants hereby elect, without traverse, invention I, claims 1-26, drawn to the vacuum tube. Applicants note that, if and when a product claim of elected Group I is found allowable, the nonelected method claims of Group II that depend from or otherwise include all of the limitations of the allowable product claim should be rejoined and considered. M.P.E.P. § 821.04.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned agent.

Respectfully submitted,

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